



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# 9  
JM  
8/8/03

In re Application of:

Michele TRUCKSIS

Examiner: R.P. Swartz

Serial No.: 10/088,356

Group Art Unit: 1645

Filed: March 18, 2002

Title: VIRULENCE GENES OF M MARIUM AND M.TUBERCULOSIS

RECEIVED

RESPONSE TO RESTRICTION REQUIREMENT

AUG 04 2003

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TECH CENTER 1600/2900

Sir:

In response to the Office action dated March 31, 2003, applicant hereby elects Group III as defined in the Office Action. Applicant also elects the gene Rv2348c. These elections are made with traverse.

The Examiner has not even addressed the issue as to how examination of a broader scope of subject matter would somehow impose an undue searching burden. Without establishing such a burden, the restriction requirement is unjustified.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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Anthony J. Zelano (Reg. No. 27,969)  
Attorney/Agent for Applicant(s)

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**FILED: July 28, 2003**

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